

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
SOUTHWESTERN DIVISION**

JOSHUA WARREN, )  
                        )  
                        )  
Plaintiff,           )  
                        )  
                        )  
vs.                   )              **Case No. 21-03024-CV-MDH**  
                        )  
                        )  
MOUNT ETNA PARTNERS, LLC,     )  
RONALD BLACKBURN, and         )  
GARRETT REINCKE,                 )  
                        )  
Defendant.                )

**ORDER**

The summons and complaint in this action were served upon Defendant Garrett Reincke (“Defendant”) on November 29, 2021. (Doc. 3). Defendant has failed to appropriately plead or otherwise defend in this action. The default was duly noted by the Clerk March 1, 2022. (Doc. 8). Plaintiff Joshua Warren’s (“Plaintiff’s”) Motion for Default Judgment pursuant to Federal Rule of Civil Procedure 55(b)(1) is now before this Court, including a signed affidavit showing amount due. (Doc. 12).

**BACKGROUND**

Plaintiff’s complaint alleges the following:

- 1) Plaintiff was employed by Mount Etna Partners LLC d/b/a American Fiberex during December 2018 in Jasper County, Missouri.
- 2) While working for American Fiberex, Plaintiff suffered injuries.
- 3) During March 2019, Plaintiff filed a workers’ compensation claim against American Fiberex with the Missouri Department of Labor Relations.

- 4) American Fiberex failed to obtain workers compensation insurance for employees and become an approved self-insured, as required by Missouri law.
- 5) American Fiberex also refused to pay Plaintiff benefits required by Missouri law.
- 6) In December 2020, Plaintiff sued American Fiberex in Jasper County Circuit Court.
- 7) In August 2021, Judge Mouton of Jasper County Circuit Court entered judgement against American Fiberex in the amount of \$2,937,048.00.
- 8) American Fiberex has refused to pay the state court judgement.
- 9) Defendant Garrett Reincke exercised domination and control over American Fiberex, such that American Fiberex had no separate mind of its own.
- 10) Defendant Garrett Reincke compelled American Fiberex to violate Missouri law.
- 11) Defendant Garrett Reincke intentionally undercapitalized American Fiberex.
- 12) American Fiberex is Defendant Garrett Reincke's alter ego or instrumentality.

### **CONCLUSION**

After reviewing the record, the Court hereby **GRANTS** Plaintiff's Motion for Default Judgment pursuant to Federal Rule of Civil Procedure 55(b)(1) against Defendant Garrett Reincke. **IT IS FURTHER ORDERED** judgment is entered in favor of Plaintiff for the total amount of \$2,937,048.00, with post-judgment interest at the applicable federal rate. This order does not impact the Co-Defendant Ronald Blackburn.

### **IT IS SO ORDERED.**

Date: November 3, 2022

*/s/ Douglas Harpool*  
DOUGLAS HARPOOL  
UNITED STATES DISTRICT JUDGE